

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
KENTON L. MURPHY
CLERK
01 DEC 21 AM 10:14
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION DAYTON

IN THE MATTER OF:
SECURITY PROCEDURES

General Order No. 01-001

AMENDMENT TO THIS COURT'S ORDER OF NOVEMBER 30, 2001,
REFERENCE SECURITY PROCEDURES IN THE DAYTON FEDERAL
BUILDING AND U. S. COURTHOUSE

Given that the present Level Four Security procedures under which all federal courthouses are being operated do not require the screening of all employees and, further, given that Level Five, the highest such, does not require such screening either, this Court's Entry of November 30, 2001, regulating security procedures in the Dayton Federal Building and United States Courthouse, is amended to reflect, in paragraph numbered 2 on page 1, that "[a]ll persons having business with the Court or any other offices in this Facility shall pass through the walk-through magnetometer for the purpose of detection of ..." In short, the words "employees and" are removed from said Order, thus negating the need for employees of offices in this building to pass through such security procedures on a regular basis.

12/21/01
R. Murphy
1/22/03

Nothing in this Amended Order is meant to preclude any Judge of this Court from requiring, in a given emergency situation, that all employees of this building pass through such security devices.

December 18, 2001



WALTER HERBERT RICE, CHIEF JUDGE
UNITED STATES DISTRICT COURT

FILED
JENNIFER A. MURPHY
01 NOV 30 AM 8:36
COURT
SOUTH OHIO
WESTERN DIVISION AT DAYTON
General Order No. 01-001

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

IN THE MATTER OF:
SECURITY PROCEDURES

GENERAL ORDER
Dayton Federal Building and U.S. Courthouse
200 West Second Street
Dayton, Ohio 45402

This order supersedes and replaces all prior orders of this Court on these subjects and establishes the security procedures to screen all persons entering the Dayton Federal Building and United States Courthouse in Dayton, Ohio. It is entered pursuant to authority reserved to local building security committees in S. D. Ohio Civ. R. 83.2(e).

SECURITY PROCEDURES

Screening of Persons Entering the Building

1. The United States Marshals Service Court Security Officers shall operate an x-ray machine and a walk-through magnetometer at the public entrance on the first floor of the Dayton Federal Building and U. S. Courthouse (referred to hereafter as the "Facility") for the purpose of screening persons entering the building. All persons and their belongings are subject to search by the United States Marshals Service while in this Facility.

2. All employees and persons having business with the Courts or any other offices in this Facility shall pass through the walk-through magnetometer for the purpose of detection of firearms, explosives, pepper spray, incendiary devices, knives, or any other item prohibited by law, regulation or court order from introduction into this Facility. These persons shall submit to further screening by a United States Marshals Service Court Security Officer if the readings of the magnetometer indicate the presence of metallic substances. This further screening may encompass the removal of all metallic objects on their person, screening by a portable hand held metal detector, or other screening procedures as necessary. Any person refusing to submit to this screening process shall be denied access to this Facility.

3. All employees and persons having business with the Courts or any other offices in this Facility who are carrying, delivering or otherwise transporting any briefcase, suitcase, package, electronic device (including cell phones, pagers, electronic organizers and portable computers), or any other container (hereafter referred to as "carried item") shall surrender such carried item for screening through an x-ray device and/or personal inspection by a Court Security Officer. Any person refusing to submit his or her carried item for screening through an x-ray device

and/or personal inspection by a Court Security Officer shall be denied access to this Facility. If a Court Security Officer concludes, after x-ray and/or personal inspection, that any item which the person seeks to bring into this Facility contains firearms, explosives, pepper spray, incendiary devices, knives, or any other dangerous item prohibited by law, regulation or court order, this individual is subject to arrest.

The following persons are exempt from the screening procedures set forth above (with appropriate official identification):

1. Judges of the United States Court of Appeals for the Sixth Circuit;
2. Judges of the United States District and Bankruptcy Courts for the Southern District of Ohio; and
3. Other judges of the United States Courts who are serving by designation or assignment in this Facility; and
4. Employees of the United States Marshals Service and employees of contractors of the United States Marshals Service who serve as Court Security Officers who are authorized by law and agency regulations to carry firearms; and
5. Probation Officers who are employed by the United States Probation Office who are authorized by law and agency regulations to carry firearms; and
6. Employees of the United States Federal Protective Service of the General Services Administration and their contract private security officers who are authorized by law and agency regulations to carry firearms.

4. No person having authorized access to secure areas after having passed through the screening devices or having authorized access via key, card key or other device, shall permit any person access to this Facility or to any elevator, locked stairwell door, or any other locked door in this Facility without proper authorization.

5. Only government employees authorized by their appropriate agency manager and possessing an authorized card key may enter this Facility through any locked entrance.

Cameras and Recording Devices

No camera or recording device is permitted in this Facility except as follows:

1. Cameras and recording devices are permitted if authorized for a specific occurrence by a Judge of the United States District Court for the Southern District of Ohio, the Clerk of the United States District Court for the Southern District of Ohio or their authorized representatives. The permitting authority shall notify in writing the United States Marshals Service of such authorization.

2. Employees of the United States Courts and the tenant agencies in this Facility may possess cameras and recording devices. No recording or pictures may be generated of the court, court hearings or other court functions without specific authorization by a court official (as listed above).

3. The General Service Administration's Property Manager or his designee can authorize an individual or contract group to possess a camera or recording device for the purpose of maintaining or enhancing the Facility, to include repair and alterations.

4. Tenant Managers or their designees are required to obtain permission and authorization from the United States Marshals Service to permit, for a specific occurrence, authorization for a person or group to possess and carry cameras and/or recording instruments into this Facility.

Computers, Cellular Phones, Pagers and Related Electronic Equipment

1. The use of portable computers and related electronic equipment in courtrooms and facilities adjacent to courtrooms is subject to restrictions and requirements imposed by a judicial officer in connection with a case pending before that judicial officer.

2. The use of cellular phones in chambers or courtrooms is prohibited unless specifically authorized by the judicial officer presiding therein. Cellular phones may be used in the public hallways so long as such use does not disrupt courtroom or other official proceedings.

3. Cellular phones and pagers shall be set in a mode to emit no audible signals while on any of the courtroom floors this Facility.

4. No computer, cellular phone, pager, or other electronic equipment shall be used to take photographs or to record any court proceedings.

WEAPONS: Firearms, Knives, Explosives, and other Dangerous Items

Except as specifically provided herein, no person shall possess a weapon in this Facility.

It is illegal to possess a firearm or other dangerous weapon in any federal building with or without the intent to commit a crime (Title 18, U.S.C. § 920(a) & (b)); persons who do so are subject to arrest. Firearms, knives, explosives, and other dangerous weapons brought into the Facility will be confiscated by the United States Marshals Service

Exceptions:

1. Employees of the United States Marshals Service, including Court Security Officers, who are authorized by law and agency regulations to carry firearms, may

possess firearms within this Facility.

2. Employees of the United States Probation Office, who are authorized by law and agency regulations to carry firearms in the performance of their official duties, may possess firearms in this Facility to the extent necessary to transport such firearms by the most direct route available to and from the offices of the Probation Department. In accordance with regulations of the Probation Department, all firearms shall be secured while present within the offices of the Probation Department. The Chief Probation Officer will notify the United States Marshals Service in writing of the names of officers with the authorization to carry firearms.
 3. U.S. Federal Protective Service Officers and their contract security officers of the General Services Administration, who are authorized by law and agency regulations to carry firearms in the performance of their official duties, may possess firearms in this Facility.
 4. Agents and inspectors of the federal agencies shown below may be armed in this Facility (with the exception listed below # 5).
 - Drug Enforcement Administration
 - Federal Bureau of Investigation
 - Federal Protective Service
 - Internal Revenue Service, Criminal Investigative Division
 - Postal Inspection Service
 - Secret Service
 5. Agents and inspectors of the federal agencies shown below may be armed on the ninth floor only under the following circumstances:
 - Bureau of Alcohol, Tobacco and Firearms
 - Customs Service
 - Defense Criminal Investigative Service
 - Drug Enforcement Administration
 - Federal Bureau of Investigation
 - Federal Protective Service
 - Immigration and Naturalization Service
 - Internal Revenue Service, Criminal Investigative Division
 - Postal Inspection Service
 - Secret Service
- a) While transporting a defendant/prisoner for an initial appearance before a Magistrate Judge. In such circumstances, a call prior to arrival at the Facility must

be placed by the agent, inspector or representative of same to the U.S. Marshals Service advising that an armed agent or inspector of that agency will be transporting a prisoner into this Facility. Additional internal policy, developed by the United States Marshals Service, will be required (such as lapel pins, entry log signature, etc...).

- b) Federal Law Enforcement Agents are permitted and authorized to possess a firearm and their authorized equipment in this Facility in order to investigate crimes committed in or facilitated by the use of the Facility. Absent extenuating circumstances, additional internal policy, developed by the United States Marshals Service, will be required (such as lapel pins, entry log signature, etc...).
2. State and local Law Enforcement Officers (except as listed below) shall relinquish their firearms, ammunition, knives, defensive sprays, and all other item prohibited by law, regulation or court order upon entry into this Facility. Such firearms will be deposited with the United States Marshals Service in weapons lock boxes maintained by the United States Marshals Service. The officer will be required to be re-screened for security purposes.
- a) State and Local Law Enforcement Officers, who are assigned to a Federal Task Force within this Facility, may enter this Facility with their weapon after displaying proper official identification (department). The officers must adhere to the aforementioned procedures governing weapons (No weapons on the ninth floor.)
 - b) State and Local Law Enforcement Officers, while in uniform, may enter and retain their weapon while investigating/responding to a reported crime within the Facility, but excluding the ninth floor.

These provisions regarding weapons will be in effect unless authorized otherwise, for a specific occurrence, by the United States Marshal, Chief Deputy United States Marshal, or his designee.

Any person who refuses to abide by this order governing the possession of weapons will not be permitted access to this Facility.

VIOLATIONS

A violator of this General Order is subject to arrest and may be charged with any applicable

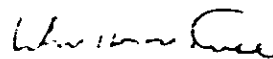
criminal offense or contempt of court. Property brought into this Facility or used herein in violation of this General Order is subject to confiscation and forfeiture upon court order.

UNITED STATES MARSHALS SERVICE'S
SECURITY ALERT PLAN

The USMS SECURITY ALERT PLAN is divided into five levels. Escalating levels provide additional security requirements designed to supplement security procedures already mandated by USMS policy.

When the USMS Security Alert protocol is activated, the national policy guidelines directing security levels will supersede this court order.

November 28, 2001



Walter Herbert Rice, Chief Judge
United States District Court

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